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May 26, 2022

Via Electronic Filing

Hon. Dora L. Irizarry
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: *Windward Bora, LLC v. Stuyvesant Construction Corp., et al*
Docket No.: 19-cv-07275(DLI)(CLP)
Notice of Service of Motion for Summary Judgment and Index of Documents

Your Honor:

I represent the Defendant Stuyvesant Construction Corp. ("Defendant") in the above referenced matter. Pursuant to the parties' joint briefing schedule, Defendant has timely served its motion for summary judgment today.

Defendant has served the following documents:

1. Notice of Motion dated May 26, 2022
2. Declaration of Daniel H. Richland, Esq.
 - a. Exhibit A – Deed dated July 25, 2006 to Randy Page and Karisma Page
 - b. Exhibit B – Mortgage dated July 25, 2006 made by Randy Page and Karisma Page to Mortgage Electronic Registration Systems, Inc., acting solely as nominee for Columbia Home Loans LLC d/b/a Brokers Funding Services Co. in the principal sum of \$440,000.00.
 - c. Exhibit C – Mortgage dated July 25, 2006 made by Randy Page and Karisma Page to Mortgage Electronic Registration Systems, Inc., acting solely as nominee for Columbia Home Loans LLC d/b/a Brokers Funding Services Co. in the principal sum of \$110,000.00.
 - d. Exhibit D – Deed dated October 15, 2007 to Page Capital Property Management Inc.
 - e. Exhibit E – Ocwen's document production, marked PHH 0001 to PHH 0017.
 - f. Exhibit F – Plaintiff's Amended Responses and Objections to Defendant's First Set of Document Demands dated October 16, 2020
 - g. Exhibit G – Plaintiff's document production, marked WB000001 to WB000037.
 - h. Exhibit H – Plaintiff's Amended Responses and Objections to Defendant's First Set of Interrogatories dated October 16, 2020

- i. Exhibit I – Deposition of Yonel Devico, Day 2, dated August 31, 2021
- j. Exhibit J – Deposition of Benjamin Verdooren dated February 9, 2022
- k. Exhibit K – Release of Mortgage by U.S. Bank National Association, as Trustee for Residential Asset Securities Corporation, Home Equity Mortgage Asset-Backed Pass-Through Certificates, Series 2006-KS9 dated August 24, 2021
- l. Exhibit L – Deed dated September 11, 2017 to Defendant
- m. Exhibit M – Corporate Assignment of Mortgage dated July 27, 2015 by Mortgage Electronic Registration Systems, Inc., acting solely as nominee for Columbia Home Loans LLC d/b/a Brokers Funding Services Co. to Windward Bora LLC
- n. Exhibit N – Defendant’s Initial Disclosures
- o. Exhibit O – Plaintiff’s Initial Disclosures
- p. Exhibit P – Minute Entry for Initial Conference dated March 9, 2020
- q. Exhibit Q – Complaint in *Windward Bora LLC v. Zavelina*, Case No.: 2020-007661-CA-01, Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida
- r. Exhibit R – Deposition of Yonel Devico, Day 1, dated August 24, 2021
- s. Exhibit S – Affidavit of Plaintiff in Opposition to Motion to Dismiss of Yonel Devico dated December 28, 2020 filed in *Windward Bora LLC v. Zavelina*, Case No.: 2020-007661-CA-01, Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida
- t. Exhibit T – Affidavit in Support of Plaintiff’s Motion of Yonel Devico dated December 9, 2020 in *Windward Bora LLC v. 21st Mortgage Corporation, et al*, bearing Index No.: 701610/2020, New York Supreme Court, Queens County
- u. Exhibit U – Affidavit of Yonel Devico in Support of Motion to Dismiss dated November 20, 2019 in *Amos Financial LLC as Assignee of FDIC as Receiver for AmTrust Bank v. Adebawale, et al*, bearing Index No.: 500345/2016, New York Supreme Court, Kings County
- v. Exhibit V – Affidavit of Note Possession of Yonel Devico dated July 2, 2020 in *Windward Bora LLC v. Dean Holding LLC*, Docket No.: 20-cv-2929(WFK)(VMS), United States District Court, Eastern District of New York.
- w. Exhibit W – Affidavit in Support of Yonel Devico dated April 30, 2021 in *Windward Bora LLC v. Home Funds Direct, et al*, bearing Index No.: 506092/2021, New York Supreme Court, Kings County
- x. Exhibit X – Loan Information Record
- y. Exhibit Y – Plaintiff’s Response to Defendant’s First Notice to Admit dated April 7, 2020
- z. Exhibit Z – Affirmation in Further Support of Plaintiff’s Motion for Summary Judgment of Danielle Light, Esq. dated February 9, 2021 in *Windward Bora LLC v. 21st Mortgage Corporation, et al*, bearing Index No.: 701610/2020, New York Supreme Court, Queens County
- aa. Exhibit AA – Order of the Hon. Darrell L. Gavrin dated October 1, 2020 in *Windward Bora, LLC v. 21st Mortgage Corporation, et al*, bearing Index No.: 701610/2020, New York Supreme Court, Queens County

- bb. Exhibit BB – Deed dated April 14, 2016 made by Lisa Segal Poczik, Esq., Referee to Yonel Devico
- cc. Exhibit CC – Power of Attorney dated April 18, 2016 made by Yonel Devico to the Board of Managers of the Newbridge Gardens Condominium
- 3. Statement of Material Facts pursuant to Rule 56 and Local Rule 56.1
- 4. Declaration of Viktoriya Zavelina
- 5. Memorandum of Law in Support of Defendant's Motion for Summary Judgment

After the motion is briefed, pursuant to Your Honor's Individual Rules, Part IV(F)(1), I will file all of the motion papers associated with Defendant's motion for summary judgment and provide the Court a courtesy copy.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'D. Richland', with a stylized flourish at the end.

Daniel H. Richland, Esq.